

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA


TERRY L. ROSS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 1:22-CV-63-KAC-SKL
	)	
MIKE SIEVERT and T-MOBILE,	)	
	)	
Defendants.	)	

**ORDER ADOPTING REPORT & RECOMMENDATION**

This civil case is before the Court on United States Magistrate Judge Susan K. Lee’s “Report and Recommendation” (“Report”) entered on April 11, 2022 [Doc. 12]. On March 15, 2022, pro se Plaintiff Terry L. Ross filed a Complaint [Doc. 1], seeking to sue T-Mobile and its Chief Executive Officer Mike Sievert for alleged “violations of the Consumer Protection Act of 1986 [and] 2019” and the criminal statute “18 [U.S.C.] § 1341” [*Id.* at 1] due to poor cellular telephone service coverage. On March 28, 2022, Judge Lee granted Plaintiff “an opportunity to attempt to state a claim over which this Court has jurisdiction” [Doc. 9 (granting leave and identifying how original complaint failed to state a claim)]. Plaintiff’s Amended Complaint [Doc. 11 (filed Apr. 11, 2022); *see also* Doc. 12 at 1, n. 1], however, failed to cure the previously-identified deficiencies [*See* Doc. 12 (thoroughly screening and explaining deficiencies in the Amended Complaint)]. Accordingly, Judge Lee recommends that this Court dismiss Plaintiff’s Amended Complaint without prejudice and close the case [Doc. 12 at 6]. Plaintiff has not objected to the Report, and the time to do so has passed [*See* Doc. 12 at 6, n. 4 (providing fourteen (14) days to file any objections to the Report)]. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

As Judge Lee ably analyzed in her Report [*see generally* Doc. 12], Plaintiff's Amended Complaint [Doc. 11] does not "state a claim over which this Court has jurisdiction" [Doc. 12 at 6]. Even liberally construed, Plaintiff's Amended Complaint fails to state a claim upon which relief can be granted. Accordingly, having reviewed the record, the Court **ACCEPTS** and **ADOPTS** Judge Lee's Report [Doc. 12] under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2) and **DISMISSES** Plaintiff's Amended Complaint [Doc. 11] **without prejudice** under 28 U.S.C. § 1915(e)(2)(B). An appropriate Judgment shall follow.

IT IS SO ORDERED.

  
KATHERINE A. CRYTZER  
United States District Judge